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WILLIAM and LORETTA ANN ERRICO,
6 as individuals and as trustees of the
William Errico and Loretta Ann Errico
7 1972 Trust

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12 Attorneys for Defendants
Pacific Capital Bank, N.A. and Niraj Mahar

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 WILLIAM ERRICO, an individual;
18 LORETTA ANN ERRICO, an individual;
WILLIAM ERRICO AND LORETTA
19 ANN ERRICO, as Trustees of the
William Errico and Loretta Ann Errico
20 1972 Trust, a California trust,

21 Plaintiffs,

22 v.

23 PACIFIC CAPITAL BANK, N.A., a
national banking association, doing
24 business as First National Bank of
Central California; NIRAJ MAHARAJ,
25 an individual; and DOES 1 through 50,
inclusive,

26 Defendants
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Case No. C-09-04072 LHK

ORDER APPROVING

STIPULATION AND REQUEST OF
PLAINTIFFS FOR ORDER OF DISMISSAL
WITH PREJUDICE OF DEFENDANTS
PACIFIC CAPITAL BANK, N.A. AND
NIRAJ MAHARAJ

1 WHEREAS Plaintiffs William Errico, an individual; Loretta Ann Errico, an
2 individual; William Errico and Loretta Ann Errico, as Trustees of the William Errico and
3 Loretta Ann Errico 1972 Trust, a California trust ("Errico") have asserted claim against
4 Defendants Pacific Capital Bank, N.A. and Niraj Maharaj ("Pacific");

5 WHEREAS Pacific has denied all material allegations by Errico and asserted
6 affirmative defenses thereto, and have alleged any affirmative claims against the Erricos;
7 and

8 WHEREAS Errico and Pacific have agreed to resolve this matter without further
9 litigation;

10 IT IS HEREBY STIPULATED TO by Errico and Pacific, and REQUESTED of the
11 Court by Errico and Pacific, that the Court enter an Order directing that:

- 12
- 13 1. All claims that Errico has asserted or asserts against Pacific in the above-
14 captioned action are dismissed with prejudice;
- 15 2. All claims that Pacific has asserted or asserts against Errico in the above-
16 captioned action are dismissed with prejudice;
- 17 3. Errico and Pacific shall each bear their own fees and costs in this action.
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23 Dated: July 8, 2011

Respectfully submitted,

24 THE DECKARD LAW FIRM

25 By Niraj C. Deckard

26 Attorneys for Plaintiffs
27 William and Loretta Ann Errico

1 Dated: July 7, 2011

Respectfully submitted,

BERLINER COHEN

By

Attorneys for Defendants
Pacific Capital Bank, N.A.
and Niraj Maharaj

8 **IT IS SO ORDERED**

10 Dated: July 11, 2011

United States District Judge